E/NL. 1973/38-43
8 August 1974
ENGLISH ONLY

UNITED NATIONS

LAWS AND REGULATIONS

PROMULGATED TO GIVE EFFECT TO THE PROVISIONS OF
THE INTERNATIONAL TREATIES ON NARCOTIC DRUGS

UNITED KINGDOM

Communicated by the Government of the United Kingdom
of Great Britain and Northern Ireland

NOTE BY THE SECRETARY-GENERAL – In accordance with the relevant Articles of the International Treaties on Narcotic Drugs, the Secretary-General has the honour to communicate the following legislative texts.

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E/NL.1973/38

Statutory Instruments 1973

No. 771 - Dangerous Drugs

THE MISUSE OF DRUGS ACT 1971 (MODIFICATION) ORDER 1973

Laid before Parliament in draft

Made . . . 18 April 1973

Coming into operation in accordance with Article 1

At the Court at Windsor Castle, the 18th day of April 1973

Present,

The Queen's Most Excellent Majesty in Council

Whereas a draft of this Order has been laid before Parliament on the recommendation of the Advisory Council on the Misuse of Drugs and has been approved by a resolution of each House of Parliament:

Now, therefore, Her Majesty, in exercise of the powers conferred by section 2(2) of the Misuse of Drugs Act 1971 a/ 1/, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1. This Order may be cited as the Misuse of Drugs Act 1971 (Modification) Order 1973 and shall come into operation on the day appointed under section 40(3) of the Misuse of Drugs Act 1971 for the purposes of section 2(2) of that Act. 1/

2. Schedule 2 to the Misuse of Drugs Act 1971 (which specifies the drugs which are subject to control under that Act) shall be amended as follows, that is to say:

(a) in paragraph 1 of Part I of that Schedule after the word "Dipipanone" 2/ there shall be inserted the words "Drotebanol (3,4-dimethoxy-17-methylmorphinan-6β, 14-diol)" and the words "Nicodicodine (6-nicotinoyldihydrocodeine)" shall be omitted;

(b) at the end of paragraph 3 of the said Part I there shall be inserted the words "not being a substance for the time being specified in Part II of this Schedule";

(c) in paragraph 1 of Part II of that Schedule after the word "Nicocodine" there shall be inserted the words "Nicodicodine (6-nicotinoyldihydrocodeine)" and after the word "Pholcodine" there shall be inserted the word "Propiram"; and

(d) in paragraph 1 of Part III of that Schedule the words "Fencamfamin", "Pemoline", "Phentermine" and "Prolintane" shall be omitted.

W.G. Agnew

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a/ 1971 c. 38.

1/ Note by the Secretariat: E/NL.1971/42.

2/ Note by the Secretariat: International non-proprietary names of drugs are underlined.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends Schedule 2 to the Misuse of Drugs Act 1971 which specifies the drugs which are subject to control under the Act.

The Order transfers the substance nicodicodine from Part I to Part II and excludes from Part I certain substances (notably, codeine, dihydrocodeine, ethylmorphine, norcodeine and pholcodine) which are already included in Part II.

The Order also adds the substance drotebanol to Part I and the substance propiram to Part II and removes from Part III the substances fencamfamin, pemoline, phentermine and prolintane.

E/NL.1973/39

Statutory Instruments 1973

No. 795 (C.20) - Dangerous Drugs

THE MISUSE OF DRUGS ACT 1971 (COMMENCEMENT NO. 2) ORDER 1973

Made . . . 19 April 1973

In pursuance of section 40(3) of the Misuse of Drugs Act 1971 a/ 1/, I hereby make the following Order:

1. This Order may be cited as the Misuse of Drugs Act 1971 (Commencement No. 2) Order 1973.

2. The provisions of the Misuse of Drugs Act 1971 not in force immediately before 1 July 1973 shall come into operation on that day.

Robert Carr,

One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
19 April 1973

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EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order brings into operation, with effect from 1 July 1973 those provisions of the Misuse of Drugs Act 1971 which are not already in force.

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a/ 1971 c. 38.

E/NL.1973/40

Statutory Instruments 1973

No. 796 - Dangerous Drugs

THE MISUSE OF DRUGS (DESIGNATION) ORDER 1973

Made . . .	19 April 1973
Laid before Parliament	7 May 1973
Coming into Operation	1 July 1973

In pursuance of section 7(4) and (7) of the Misuse of Drugs Act 1971 1/, on the recommendation of the Advisory Council on the Misuse of Drugs, I hereby make the following Order:

1. (1) This Order may be cited as the Misuse of Drugs (Designation) Order 1973 and shall come into operation on 1 July 1973.

(2) The Interpretation Act 1889 b/ shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

2. The controlled drugs specified in the Schedule hereto are hereby designated as drugs to which section 7(4) of the Misuse of Drugs Act 1971 applies.

Robert Carr,

One of Her Majesty's Principal Secretaries of State

Home Office,
Whitehall.
19 April 1973.

SCHEDULE

CONTROLLED DRUGS TO WHICH SECTION 7(4) OF THE MISUSE OF DRUGS ACT 1971 APPLIES

1. The following substances and products, namely:

Bufotenine.
Cannabinol.
Cannabinol derivatives.
Cannabis.
Cannabis resin.
Coca leaf.
Concentrate of poppy-straw.
Lysergamide.
Lysergide and other N-alkyl derivatives of lysergamide.
Mescaline.
Psilocin.
Raw opium.
N, N-Diethyltryptamine.
N, N-Dimethyltryptamine.
2, 5-Dimethoxy-α, 4-dimethyl-phenethylamine.

2. Any stereoisomeric form of a substance specified in paragraph 1 above.

3. Any ester or ether of a substance specified in paragraph 1 or 2 above.

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b/ 1889 c. 63.

4. Any salt of a substance specified in any of paragraphs 1 to 3 above.

5. Any preparation or other product containing a substance or product specified in paragraphs 1 to 4 above.

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EXPLANATORY NOTE

(This Note is not part of the Order.)

Section 7(3) of the Misuse of Drugs Act 1971 requires regulations to be made to allow the use for medical purposes of the drugs which are subject to control under that Act. Section 7(3) does not however apply to any drug designated by order under section 7(4) as a drug to which section 7(4) is to apply. This Order designates for this purpose the drugs specified in the Schedule to the Order.

E/NL.1973/41

Statutory Instruments 1973

No. 797 - Dangerous Drugs

THE MISUSE OF DRUGS REGULATIONS 1973

Made . . .	19 April 1973
Laid before Parliament	7 May 1973
Coming into Operation	1 July 1973

ARRANGEMENT OF REGULATIONS

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SCHEDULE 4 Controlled drugs subject to the requirements of Regulations 14, 15, 16, 18, 19, 20 and 24.

SCHEDULE 5 Form of register.

In pursuance of sections 7, 10, 22(a) and 31 of the Misuse of Drugs Act 1971 1/, after consultation with the Advisory Council on the Misuse of Drugs, I hereby make the following Regulations:

PART I

GENERAL

Citation and commencement

1. These Regulations may be cited as the Misuse of Drugs Regulations 1973 and shall come into operation on 1 July 1973.

Interpretation

2. (1) In these Regulations, unless the context otherwise requires, the expression "the Act" means the Misuse of Drugs Act 1971 1/;

"authorized as a member of a group" means authorized by virtue of being a member of a class as respects which the Secretary of State has granted an authority under and for the purposes of Regulations 8(3), 9(3) or 10(3) which is in force, and "his group authority", in relation to a person who is a member of such a class, means the authority so granted to that class;

"health prescription" means a prescription issued by a doctor or a dentist either under the National Health Service Act 1946 a/, the National Health Service (Scotland) Act 1947 b/, the Health Services Act (Northern Ireland) 1971 c/ or the National Health Service (Isle of Man) Act 1948 (an Act of Tynwald) or upon a form issued by a local authority for use in connexion with the health service of that authority;

"installation manager" and "offshore installation" have the same meanings as in the Mineral Workings (Offshore Installations) Act 1971 d/

"master" has the same meaning as in the Merchant Shipping Act 1894 e/;

"matron or acting matron" includes any male nurse occupying a similar position;

"the Merchant Shipping Acts" means the Merchant Shipping Acts 1894 to 1971;

"officer of customs and excise" means an officer within the meaning of the Customs and Excise Act 1952 f/;

"prescription" means a prescription issued by a doctor for the medical treatment of a single individual, by a dentist for the dental treatment of a single individual or by a veterinary surgeon or veterinary practitioner for the purposes of animal treatment;

"register" means a bound book and does not include any form of loose leaf register or card index;

"registered pharmacy" has the same meaning as in the Medicines Act 1968 g/;

"retail dealer" means a person lawfully conducting a retail pharmacy business or a pharmacist engaged in supplying drugs to the public at a health centre within the meaning of the Medicines Act 1968;

"sister or acting sister" includes any male nurse occupying a similar position;

"wholesale dealer" means a person who carries on the business of selling drugs to persons who buy to sell again.

(2) In these Regulations any reference to a Regulation or Schedule shall be construed as a reference to a Regulation contained in these Regulations or, as the case may be, to a Schedule thereto; and any reference in a Regulation or Schedule to a paragraph shall be construed as a reference to a paragraph of that Regulation or Schedule.

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a/ 1946 c. 81

b/ 1947 c. 27.

c/ 1971 c. 1 (N.I.).

d/ 1971 c. 61.

e/ 1894 c. 60.

f/ 1952 c. 44.

g/ 1968 c. 67.

(3) In these Regulations any reference to any enactment shall be construed as a reference to that enactment as amended, and as including a reference thereto as extended or applied, by or under any other enactment.

(4) Nothing in these Regulations shall be construed as derogating from any power or immunity of the Crown, its servants or agents.

(5) The Interpretation Act 1889 h/ shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

Metric system and imperial system

3. (1) For the purposes of these Regulations:

(a) a controlled drug shall not be regarded as supplied otherwise than on a prescription or other order by reason only that the prescription or order specifies a quantity of the controlled drug in terms of the imperial system and the quantity supplied is the equivalent of that amount in the metric system;

(b) where any person may lawfully be in possession of a quantity of a controlled drug determined by or under these Regulations in terms of the imperial system he shall be deemed not to be in possession of a quantity of that controlled drug in excess of the first-mentioned quantity by reason only that he is in possession of a quantity of that drug which is the equivalent of the first-mentioned quantity in the metric system.

(2) For the purposes of this Regulation the quantity of a controlled drug in the metric system which is the equivalent of a particular quantity in the imperial system shall be taken to be the appropriate quantity ascertained in accordance with the provisions of the Weights and Measures (Equivalents for dealing with drugs) Regulations 1970 i/.

PART II

EXEMPTIONS FROM CERTAIN PROVISIONS OF THE MISUSE OF DRUGS ACT 1971

Exceptions for drugs in Schedule 1 and poppy-straw

4. (1) Sections 3(1) and 5(1) of the Act (which prohibit the importation, exportation and possession of controlled drugs) shall not have effect in relation to the controlled drugs specified in Schedule 1.

(2) Sections 4(1) (which prohibits the production and supply of controlled drugs) and 5(1) of the Act shall not have effect in relation to poppy-straw.

Licences to produce etc. controlled drugs

5. Where any person is authorized by a licence of the Secretary of State issued under this Regulation and for the time being in force to produce, supply, offer to supply or have in his possession any controlled drug, it shall not by virtue of section 4(1) or 5(1) of the Act be unlawful for that person to produce, supply, offer to supply or have in his possession that drug in accordance with the terms of the licence and in compliance with any conditions attached to the licence.

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h/ 1889 c. 63.

i/ S.I. 1970/1897 (1970 III, p. 6243)

6. Any of the following persons may, notwithstanding the provisions of section 5(1) of the Act, have any controlled drug in his possession, that is to say:

(a) a constable when acting in the course of his duty as such;

(b) a person engaged in the business of a carrier when acting in the course of that business;

(c) a person engaged in the business of the Post Office when acting in the course of that business;

(d) an officer of customs and excise when acting in the course of his duty as such;

(e) a person engaged in the work of any laboratory to which the drug has been sent for forensic examination when acting in the course of his duty as a person so engaged;

(f) a person engaged in conveying the drug to a person authorized by these Regulations to have it in his possession.

Administration of drugs in Schedules 1, 2 and 3

7. (1) Any person may administer to another any drug specified in Schedule 1.

(2) A doctor or dentist may administer to a patient any drug specified in Schedule 2 or 3.

(3) Any person other than a doctor or dentist may administer to a patient, in accordance with the directions of a doctor or dentist, any drug specified in Schedule 2 or 3.

Production and supply of drugs in Schedules 1 and 2

8. (1) Notwithstanding the provisions of section 4(1)(a) of the Act:

(a) a practitioner or pharmacist, acting in his capacity as such, may manufacture or compound any drug specified in Schedule 1 or 2;

(b) a person lawfully conducting a retail pharmacy business and acting in his capacity as such may, at the registered pharmacy at which he carries on that business, manufacture or compound any drug specified in Schedule 1 or 2.

(2) Notwithstanding the provisions of section 4(1)(b) of the Act any of the following persons, that is to say:

(a) a practitioner;

(b) a pharmacist;

(c) a person lawfully conducting a retail pharmacy business;

(d) the matron or acting matron of a hospital or nursing home which is wholly or mainly maintained by a public authority out of public funds or by a charity or by voluntary subscriptions;

(e) in the case of such a drug supplied to her by a person responsible for the dispensing and supply of medicines at the hospital or nursing home, the sister or acting sister for the time being in charge of a ward, theatre or other department in such a hospital or nursing home as aforesaid;

(f) a person who is in charge of a laboratory the recognized activities of which consist in, or include, the conduct of scientific education or research and which is attached to a university, university college or such a hospital as aforesaid or to any other institution approved for the purpose by the Secretary of State;

(g) a public analyst appointed under section 89 of the Food and Drugs Act 1955 j/ or section 27 of the Food and Drugs (Scotland) Act 1956 k/;

(h) a sampling officer within the meaning of the Food and Drugs Act 1955 or the Food and Drugs (Scotland) Act 1956;

(i) a sampling officer within the meaning of Schedule 3 to the Medicines Act 1968;

(j) a person employed or engaged in connexion with a scheme for testing the quality or amount of the drugs, preparations and appliances supplied under the National Health Service Act 1946 or the National Health Service (Scotland) Act 1947 and the Regulations made thereunder;

(k) an inspector appointed by the Pharmaceutical Society of Great Britain under section 25 of the Pharmacy and Poisons Act 1933 l/,

may, when acting in his capacity as such, supply or offer to supply any drug specified in Schedule 1 or 2 to any person who may lawfully have that drug in his possession:

Provided that nothing in this paragraph authorizes:

(i) the matron or acting matron of a hospital or nursing home, having a pharmacist responsible for the dispensing and supply of medicines, to supply or offer to supply any drug;

(ii) a sister or acting sister for the time being in charge of a ward, theatre or other department to supply any drug otherwise than for administration to a patient in that ward, theatre or department in accordance with the directions of a doctor or dentist.

(3) Notwithstanding the provisions of section 4(1)(b) of the Act, a person who is authorized as a member of a group may, under and in accordance with the terms of his group authority and in compliance with any conditions attached thereto, supply or offer to supply any drug specified in Schedule 1 or 2 to any person who may lawfully have that drug in his possession.

(4) Notwithstanding the provisions of section 4(1)(b) of the Act, a person whose name is for the time being entered in the register kept for the purposes of this paragraph by the Secretary of State may, at the premises in respect of which his name is so entered and in compliance with any conditions subject to which his name is so entered, supply or offer to supply any drug specified in Schedule 1 to any person who may lawfully have that drug in his possession.

(5) Notwithstanding the provisions of section 4(1)(b) of the Act:

(a) the owner of a ship, or the master of a ship which does not carry a doctor on board as part of her complement, may supply or offer to supply any drug specified in Schedule 1 or 2:

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j/ 1955 c. 16 (4 & 5 Eliz. 2).

k/ 1933 c. 25.

l/ 1956 c. 30.

(i) to any member of the crew;

(ii) to any person who may lawfully supply that drug; or

(iii) to any constable for the purpose of destruction;

(b) the installation manager of an offshore installation may supply or offer to supply any drug specified in Schedule 1 or 2:

(i) to any person on that installation, whether present in the course of his employment or not;

(ii) to any person who may lawfully supply that drug; or

(iii) to any constable for the purpose of destruction.

Production and supply of drugs in Schedule 3

9. (1) Notwithstanding the provisions of section 4(1)(a) of the Act:

(a) a practitioner or pharmacist, acting in his capacity as such, may manufacture or compound any drug specified in Schedule 3;

(b) a person lawfully conducting a retail pharmacy business and acting in his capacity as such may, at the registered pharmacy at which he carries on that business, manufacture or compound any drug specified in Schedule 3;

(c) a person whose name is for the time being entered in the register kept for the purposes of this sub-paragraph by the Secretary of State may produce, at the premises in respect of which his name is so entered and in compliance with any conditions subject to which his name is so entered, any drug specified in Schedule 3.

(2) Notwithstanding the provisions of section 4(1)(b) of the Act, any of the following persons, that is to say:

(a) a practitioner;

(b) a pharmacist;

(c) a person lawfully conducting a retail pharmacy business;

(d) the matron or acting matron of a hospital or nursing home;

(e) in the case of such a drug supplied to her by a person responsible for the dispensing and supply of medicines at the hospital or nursing home, the sister or acting sister for the time being in charge of a ward, theatre or other department in a hospital or nursing home;

(f) a person in charge of a laboratory the recognized activities of which consist in, or include, the conduct of scientific education or research;

(g) a public analyst appointed under section 89 of the Food and Drugs Act 1955 or section 27 of the Food and Drugs (Scotland) Act 1956;

(h) a sampling officer within the meaning of the Food and Drugs Act 1955 or the Food and Drugs (Scotland) Act 1956;

(i) a sampling officer within the meaning of Schedule 3 to the Medicines Act 1968;

(j) a person employed or engaged in connexion with a scheme for testing the quality or amount of the drugs, preparations and appliances supplied under the National Health Service Act 1946 or the National Health Service (Scotland) Act 1947 and the Regulations made thereunder;

(k) an inspector appointed by the Pharmaceutical Society of Great Britain under section 25 of the Pharmacy and Poisons Act 1933,

may, when acting in his capacity as such, supply or offer to supply any drug specified in Schedule 3 to any person who may lawfully have that drug in his possession:

Provided that nothing in this paragraph authorizes:

(i) the matron or acting matron of a hospital or nursing home, having a pharmacist responsible for the dispensing and supply of medicines, to supply or offer to supply any drug;

(ii) a sister or acting sister for the time being in charge of a ward, theatre or other department to supply any drug otherwise than for administration to a patient in that ward, theatre or department in accordance with the directions of a doctor or dentist.

(3) Notwithstanding the provisions of section 4(1)(b) of the Act, a person who is authorized as a member of a group may, under and in accordance with the terms of his group authority and im compliance with any conditions attached thereto, supply or offer to supply any drug specified in Schedule 3 to any person who may lawfully have that drug in his possession.

(4) Notwithstanding the provisions of section 4(1)(b) of the Act:

(a) a person whose name is for the time being entered in the register kept for the purposes of this sub-paragraph by the Secretary of State may, at the premises in respect of which his name is so entered and in compliance with any conditions subject to which his name is so entered, supply or offer to supply any drug specified in Schedule 3 to any person who may lawfully have that drug in his possession;

(b) a person whose name is for the time being entered in the register kept for the purposes of paragraph (1)(c) by the Secretary of State may supply or offer to supply any drug which he may, by virtue of his name being so entered, lawfully produce to any person who may lawfully have that drug in his possession.

(5) Notwithstanding the provisions of section 4(1)(b) of the Act:

(a) the owner of a ship, or the master of a ship which does not carry a doctor on board as part of her complement, may supply or offer to supply any drug specified in Schedule 3:

(i) to any member of the crew; or

(ii) to any person who may lawfully supply that drug;

(b) the installation manager of an offshore installation may supply or offer to supply any drug specified in Schedule 3:

(i) to any person on that installation, whether present in the course of his employment or not; or

(ii) to any person who may lawfully supply that drug.

Possession of drugs in Schedules 2 and 3

10. (1) Notwithstanding the provisions of section 5(1) of the Act:

(a) a person specified in Regulation 8(2) may have in his possession any drug specified in Schedule 2;

(b) a person specified in Regulation 9(2) may have in his possession any drug specified in Schedule 3,

for the purpose of acting in his capacity as such.

(2) Notwithstanding the provisions of section 5(1) of the Act a person may have in his possession any drug specified in Schedule 2 or 3 for administration for medical, dental or veterinary purposes in accordance with the directions of a practitioner:

Provided that this paragraph shall not have effect in the case of a person to whom the drug has been supplied by or on the prescription of a doctor if:

(a) that person was then being supplied with any controlled drug by or on the prescription of another doctor and failed to disclose that fact to the first mentioned doctor before the supply by him or on his prescription; or

(b) that or any other person on his behalf made a declaration or statement, which was false in any particular, for the purpose of obtaining the supply or prescription.

(3) Notwithstanding the provisions of section 5(1) of the Act, a person who is authorized as a member of a group may, under and in accordance with the terms of his group authority, and in compliance with any conditions attached thereto, have any drug specified in Schedule 2 or 3 in his possession.

(4) Notwithstanding the provisions of section 5(1) of the Act:

(a) a person whose name is for the time being entered in the register kept for the purposes of this sub-paragraph by the Secretary of State may, in compliance with any conditions subject to which his name is so entered, have in his possession any drug specified in Schedule 3;

(b) a person whose name is for the time being entered in the register kept for the purposes of Regulation 9(1)(c) by the Secretary of State may have in his possession any drug which he may, by virtue of his name being so entered, lawfully produce;

(c) a person whose name is for the time being entered in the register kept for the purposes of Regulation 9(4)(a) by the Secretary of State may have in his possession any drug which he may, by virtue of his name being so entered, lawfully supply or offer to supply.

(5) Notwithstanding the provisions of section 5(1) of the Act:

(a) the owner of a ship, or the master of a ship which does not carry a doctor on board as part of her complement, may have in his possession any drug specified in Schedule 2 or 3 so far as necessary for the purpose of compliance with the Merchant Shipping Acts;

(b) the master of a foreign ship which is in a port in Great Britain may have in his possession any drug specified in Schedule 2 or 3 so far as necessary for the equipment of the ship;

(c) the installation manager of an offshore installation may have in his possession any drug specified in Schedule 2 or 3 so far as necessary for the purpose of compliance with the Mineral Workings (Offshore Installations) Act 1971.

Exemption for midwives in respect of pethidine

11. (1) Notwithstanding the provisions of sections 4(1)(b) and 5(1) of the Act, a certified midwife, who has in accordance with the provisions of the Midwives Act 1951 m/, or the Midwives (Scotland) Act 1951 n/, notified to the local supervising authority her intention to practise, may, subject to the provisions of this Regulation:

(a) so far as necessary for the practice of her profession or employment as a midwife, have pethidine in her possession;

(b) so far as necessary as aforesaid, administer pethidine; and

(c) surrender to the appropriate medical officer of health any stocks of pethidine in her possession which are no longer required by her.

(2) Nothing in paragraph (1) authorizes a midwife to have in her possession pethidine which has been obtained otherwise than on a midwife's supply order signed by the appropriate medical officer of health.

(3) In this Regulation, the expression:

"appropriate medical officer of health" means:

(a) the medical officer of health of the local supervising authority for the area in which the pethidine was, or is to be, obtained; or

(b) a doctor in the employment of that authority who is for the time being authorized in writing in that behalf by the medical officer of health of that authority; or

(c) for the purposes of paragraph (2), a person appointed under section 17 of the Midwives Act 1951, or, as the case may be, section 18 of the Midwives (Scotland) Act 1951, by that authority to exercise supervision over certified midwives within their area, who is for the time being authorized as aforesaid;

"certified midwife" and "local supervising authority" have the same meanings as in the Midwives Act 1951 or, in Scotland, the Midwives (Scotland) Act 1951;

"midwife's supply order" means an order in writing specifying the name and occupation of the midwife obtaining the pethidine, the purpose for which it is required and the total quantity to be obtained.

Cultivation under licence of Cannabis plant

12. Where any person is authorized by a licence of the Secretary of State issued under this Regulation and for the time being in force to cultivate plants of the genus Cannabis, it shall not by virtue of section 6 of the Act be unlawful for that person to cultivate any such plant in accordance with the terms of the licence and in compliance with any conditions attached to the licence.

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m/ 1951 c. 53.

n/ 1951 c. 54.

Approval of premises for cannabis smoking for research purposes

13. Section 8 of the Act (which makes it an offence for the occupier of premises to permit certain activities there) shall not have effect in relation to the smoking of cannabis or cannabis resin for the purposes of research on any premises for the time being approved for the purpose by the Secretary of State.

PART III

REQUIREMENTS AS TO DOCUMENTATION AND RECORD KEEPING

Documents to be obtained by supplier of controlled drugs

14. (1) Where a person (hereafter in this paragraph referred to as "the supplier"), not being a practitioner, supplies a controlled drug otherwise than on a prescription, the supplier shall not deliver the drug to a person who:

(a) purports to be sent by or on behalf of the person to whom it is supplied (hereafter in this paragraph referred to as "the recipient"); and

(b) is not authorized by any provision of these Regulations other than the provisions of Regulation 6(f) to have that drug in his possession,

unless that person produces to the supplier a statement in writing signed by the recipient to the effect that he is empowered by the recipient to receive that drug on behalf of the recipient, and the supplier is reasonably satisfied that the document is a genuine document.

(2) Where a person (hereafter in this paragraph referred to as "the supplier") supplies a controlled drug, otherwise than on a prescription or by way of administration, to any of the persons specified in paragraph (4), the supplier shall not deliver the drug:

(a) until he has obtained a requisition in writing which

(i) is signed by the person to whom the drug is supplied (hereafter in this paragraph referred to as "the recipient");

(ii) states the name, address and profession or occupation of the recipient;

(iii) specifies the purpose for which the drug supplied is required and the total quantity to be supplied; and

(iv) where appropriate, satisfies the requirements of paragraph (5);

(b) unless he is reasonably satisfied that the signature is that of the person purporting to have signed the requisition and that that person is engaged in the profession or occupation specified in the requisition:

Provided that where the recipient is a practitioner and he represents that he urgently requires a controlled drug for the purpose of his profession, the supplier may, if he is reasonably satisfied that the recipient so requires the drug and is, by reason of some emergency, unable before delivery to furnish to the supplier a requisition in writing duly signed, deliver the drug to the recipient on an undertaking by the recipient to furnish such a requisition within the twenty-four hours next following.

(3) A person who has given such an undertaking as aforesaid shall deliver to the person by whom the controlled drug was supplied a signed requisition in accordance with the undertaking.

(4) The persons referred to in paragraph (2) are:

(a) a practitioner;

(b) the matron or acting matron of a hospital or nursing home;

(c) a person who is in charge of a laboratory the recognized activities of which consist in, or include, the conduct of scientific education or research;

(d) the owner of a ship, or the master of a ship which does not carry a doctor on board as part of her complement;

(e) the master of a foreign ship in a port in Great Britain;

(f) the installation manager of an offshore installation.

(5) A requisition furnished for the purposes of paragraph (2) shall

(a) where furnished by the matron or acting matron of a hospital or nursing home, be signed by a doctor or dentist employed or engaged in that hospital or nursing home;

(b) where furnished by the master of a foreign ship, contain a statement, signed by the medical officer of health, or the assistant medical officer of health, of the port health authority within whose jurisdiction the ship is, that the quantity of the drug to be supplied is the quantity necessary for the equipment of the ship.

(6) Where the person responsible for the dispensing and supply of medicines at any hospital or nursing home supplies a controlled drug to the sister or acting sister for the time being in charge of any ward, theatre or other department in that hospital or nursing home (hereafter in this paragraph referred to as "the recipient") he shall:

(a) obtain a requisition in writing, signed by the recipient, which specifies the total quantity of the drug to be supplied; and

(b) mark the requisition in such manner as to show that it has been complied with,

and any requisition obtained for the purposes of this paragraph shall be retained in the dispensary at which the drug was supplied and a copy of the requisition or a note of it shall be retained or kept by the recipient.

(7) Nothing in this Regulation shall have effect in relation to the drugs specified in Schedule 1 or poppy-straw.

Form of prescriptions

15. (1) Subject to the provisions of this Regulation, a person shall not issue a prescription containing a controlled drug other than a drug specified in Schedule 1 unless the prescription complies with the following requirements, that is to say, it shall

(a) be in ink or otherwise so as to be indelible and be signed by the person issuing it with his usual signature and dated by him;

(b) insofar as it specifies the information required by sub-paragraphs (e) and (f) below to be specified, be written by the person issuing it in his own handwriting;

(c) except in the case of a health prescription, specify the address of the person issuing it;

(d) have written thereon, if issued by a dentist, the words "for dental treatment only" and, if issued by a veterinary surgeon or a veterinary practitioner, the words "for animal treatment only";

(e) specify the name and address of the person for whose treatment it is issued or, if it is issued by a veterinary surgeon or veterinary practitioner, of the person to whom the controlled drug prescribed is to be delivered;

(f) specify the dose to be taken and:

(i) in the case of a prescription containing a controlled drug which is a preparation, the form and, where appropriate, the strength of the preparation, and either the total quantity (in both words and figures) of the preparation or the number (in both words and figures) of dosage units, as appropriate, to be supplied;

(ii) in any other case, the total quantity (in both words and figures) of the controlled drug to be supplied;

(g) in the case of a prescription for a total quantity intended to be dispensed by instalments, contain a direction specifying the amount of the instalments of the total amount which may be dispensed and the intervals to be observed when dispensing.

(2) Paragraph (1)(b) shall not have effect in relation to a prescription issued by a person approved (whether personally or as a member of a class) for the purposes of this paragraph by the Secretary of State.

(3) In the case of a prescription issued for the treatment of a patient in a hospital or nursing home, it shall be a sufficient compliance with paragraph (1)(e) if the prescription is written on the patient's bed card or case sheet.

Provisions as to supply on prescription

16. (1) A person shall not supply a controlled drug other than a drug specified in Schedule 1 on a prescription:

(a) unless the prescription complies with the provisions of Regulation 15;

(b) unless the address specified in the prescription as the address of the person issuing it is an address within the United Kingdom;

(c) unless he either is acquainted with the signature of the person by whom it purports to be issued and has no reason to suppose that it is not genuine, or has taken reasonably sufficient steps to satisfy himself that it is genuine;

(d) before the date specified in the prescription;

(e) subject to paragraph (3), later than thirteen weeks after the date specified in the prescription.

(2) Subject to paragraph (3), a person dispensing a prescription containing a controlled drug other than a drug specified in Schedule 1 shall, at the time of dispensing it, mark thereon the date on which it is dispensed and, unless it is a health prescription, shall retain it on the premises on which it was dispensed.

(3) In the case of a prescription containing a controlled drug other than a drug specified in Schedule 1, which contains a direction that specified instalments of the total amount may be dispensed at stated intervals, the person dispensing it shall not supply the drug otherwise than in accordance with that direction and:

(a) paragraph (1) shall have effect as if for the requirement contained in sub-paragraph (e) thereof there were substituted a requirement that the occasion on which the first instalment is dispensed shall not be later than thirteen weeks after the date specified in the prescription;

(b) paragraph (2) shall have effect as if for the words "at the time of dispensing it" there were substituted the words "on each occasion on which an instalment is dispensed".

Exemption for certain prescriptions

17. Nothing in Regulations 15 and 16 shall have effect in relation to a prescription issued for the purposes of a scheme for testing the quality and amount of the drugs, preparations and appliances supplied under the National Health Service Act 1946 or the National Health Service (Scotland) Act 1947 and the Regulations made thereunder or to any prescriptions issued for the purposes of the Food and Drugs Act 1955 or, in Scotland, the Food and Drugs (Scotland) Act 1956 to a sampling officer within the meaning of those Acts or for the purposes of the Medicines Act 1968 to a sampling officer within the meaning of that Act.

Marking of bottles and other containers

18. (1) Subject to paragraph (2), no person shall supply a controlled drug otherwise than in a bottle, package or other container which is plainly marked:

(a) in the case of a controlled drug other than a preparation, with the amount of the drug contained therein;

(b) in the case of a controlled drug which is a preparation

(i) made up into tablets, capsules or other dosage units, with the amount of each component (being a controlled drug) of the preparation in each dosage unit and the number of dosage units in the bottle, package or other container;

(ii) not made up as aforesaid, with the total amount of the preparation in the bottle, package or other container and the percentage of each of its components which is a controlled drug.

(2) Nothing in this Regulation shall have effect in relation to the drugs specified in Schedule 1 or poppy-straw or in relation to the supply of a controlled drug by or on the prescription of a practitioner.

Keeping of registers

19. (1) Subject to paragraph (3) and Regulation 21, every person authorized by or under Regulation 5 or 8 to supply any drug specified in Schedule 2 or 4 shall comply with the following requirements, that is to say

(a) he shall, in accordance with the provisions of this Regulation and of Regulation 20, keep a register and shall enter therein in chronological sequence in the form specified in Part I or Part II of Schedule 5, as the case may require, particulars of every quantity of a drug specified in Schedule 2 or 4 obtained by him and of every quantity of such a drug supplied (whether by way of administration or otherwise) by him whether to persons within or outside Great Britain;

(b) he shall use a separate register or separate part of the register for entries made in respect of each class of drugs, and each of the drugs specified in paragraphs 1, 3 and 6 of Schedule 2 and paragraphs 1 and 3 of Schedule 4 together with its salts and any preparation or other product containing it or any of its salts shall be treated as a separate class, so however that any stereoisomeric form of a drug or its salts shall be classed with that drug.

(2) Nothing in paragraph (1) shall be taken as preventing the use of a separate section within a register or separate part of a register in respect of different drugs or strengths of drugs comprised within the class of drugs to which that register or separate part relates.

(3) The foregoing provisions of this Regulation shall not have effect in relation to:

(a) a person licensed under Regulation 5 to supply any drug, where the licence so directs; or

(b) the sister or acting sister for the time being in charge of a ward, theatre or other department in a hospital or nursing home.

Requirements as to registers

20. Any person required to keep a register under Regulation 19 shall comply with the following requirements, that is to say:

(a) the class of drugs to which the entries on any page of any such register relate shall be specified at the head of that page;

(b) every entry required to be made under Regulation 19 in such a register shall be made on the day on which the drug is obtained or, as the case may be, on which the transaction in respect of the supply of the drug by the person required to make the entry takes place or, if that is not reasonably practicable, on the day next following that day;

(c) no cancellation, obliteration or alteration of any such entry shall be made, and a correction of such an entry shall be made only by way of marginal note or footnote which shall specify the date on which the correction is made;

(d) every such entry and every correction of such an entry shall be made in ink or otherwise so as to be indelible;

(e) such a register shall not be used for any purpose other than the purposes of these Regulations;

(f) the person so required to keep such a register shall on demand made by the Secretary of State or by any person authorized in writing by the Secretary of State in that behalf:

(i) furnish such particulars as may be requested in respect of the obtaining or supplying by him of any drug specified in Schedule 2 or 4, or in respect of any stock of such drugs in his possession;

(ii) for the purpose of confirming any such particulars, produce any stock of such drugs in his possession;

(iii) produce the said register and such other books or documents in his possession relating to any dealings in drugs specified in Schedule 2 or 4 as may be requested;

(g) a separate register shall be kept in respect of each premises at which the person required to keep the register carries on his business or occupation, but subject to that not more than one register shall be kept at one time in respect of each class of drug in respect of which he is required to keep a separate register, so, however, that a separate register may, with the approval of the Secretary of State, be kept in respect of each department of the business carried on by him;

(h) every such register in which entries are currently being made shall be kept at the premises to which it relates.

Record-keeping requirements in particular cases

21. (1) Where a drug specified in Schedule 2 is supplied in accordance with Regulation 8(5)(a)(i) to a member of the crew of a ship, an entry in the official log book required to be kept under the Merchant Shipping Acts or, in the case of a ship which is not required to carry such an official log book, a report signed by the master of the ship, shall, notwithstanding anything in these Regulations, be a sufficient record of the supply if the entry or report specifies the drug supplied and, in the case of a report, it is delivered as soon as may be to the superintendent of a mercantile marine office established and maintained under the Merchant Shipping Acts.

(2) Where a drug specified in Schedule 2 is supplied in accordance with Regulation 8(5)(b)(i) to a person on an offshore installation, an entry in the installation logbook required to be maintained under the Offshore Installations (Logbooks and Registration of Death) Regulations 1972 o/ which specifies the drug supplied shall, notwithstanding anything in these Regulations, be a sufficient record of the supply.

(3) A midwife authorized by Regulation 11(1) to have pethidine in her possession shall:

(a) on each occasion on which she obtains a supply of pethidine, enter in a book kept by her and used solely for the purposes of this paragraph the date, the name and address of the person from whom the drug was obtained, the amount obtained and the form in which it was obtained; and

(b) on administering pethidine to a patient, enter in the said book as soon as practicable the name and address of the patient, the amount administered and the form in which it was administered.

Preservation of registers, books and other documents

22. (1) All registers and books kept in pursuance of Regulation 19 or 21(3) shall be preserved for a period of two years from the date on which the last entry therein is made.

(2) Every requisition, order or prescription (other than a health prescription) on which a controlled drug is supplied in pursuance of these Regulations shall be preserved for a period of two years from the date on which the last delivery under it was made.

Preservation of records relating to drugs in Schedule 1

23. (1) A producer of any drug specified in Schedule 1 and a wholesale dealer in any such drug shall keep every invoice or other like record issued in respect of each quantity of such a drug obtained by him and in respect of each quantity of such a drug supplied by him.

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o/ S.I. 1972/1542 (1972 III, p. 4532).

(2) A retail dealer in any drug specified in Schedule 1 shall keep every invoice or other like record issued in respect of each quantity of such a drug obtained by him.

(3) Every document kept in pursuance of this Regulation shall be preserved for a period of two years from the date on which it is issued:

Provided that the keeping of a copy of the document made at any time during the said period of two years shall be treated for the purposes of this paragraph as if it were the keeping of the original document.

PART IV

MISCELLANEOUS

Destruction of controlled drugs

24. (1) No person who is required by any provision of, or by any term or condition of a licence having effect under, these Regulations to keep records with respect to a drug specified in Schedule 2 or 4 shall destroy such a drug or cause such a drug to be destroyed except in the presence of and in accordance with any directions given by a person authorized (whether personally or as a member of a class) for the purposes of this paragraph by the Secretary of State (hereafter in this Regulation referred to as an "authorized person").

(2) An authorized person may, for the purpose of analysis, take a sample of a drug specified in Schedule 2 or 4 which is to be destroyed.

(3) Where a drug specified in Schedule 2 or 4 is destroyed in pursuance of paragraph (1) by or at the instance of a person who is required by any provision of, or by any term or condition of a licence having effect under, these Regulations to keep a record in respect of the obtaining or supply of that drug, that record shall include particulars of the date of destruction and the quantity destroyed and shall be signed by the authorized person in whose presence the drug is destroyed.

(4) Where the master or owner of a ship or installation manager of an offshore installation has in his possession a drug specified in Schedule 2 which he no longer requires, he shall not destroy the drug or cause it to be destroyed but shall dispose of it to a constable or to a person who may lawfully supply it.

Transitional provisions

25. (1) Any licence issued for the purposes of section 6(1) of the Dangerous Drugs Act 1965 p/ 3/ (which makes it an offence to cultivate any cannabis plant except under licence) and in force immediately before the repeal of that Act shall continue in force for the same period of time as if that Act had not been repealed and shall have effect as if it had been issued for the purposes of Regulation 12.

(2) Any licence issued for the purposes of any provision of the Dangerous Drugs (No. 2) Regulations 1964 q/ 4/ and in force immediately before the repeal of the said Act of 1965 shall, insofar as it authorizes any person to do anything which could be authorized by a licence issued under Regulation 5, continue in force for the same period of time as if that Act had not been repealed and shall have effect as if it had been issued for the purposes of Regulation 5.

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p/ 1965 c. 15.

q/ S.I. 1964/1811 (1964 III, p. 3942).

3/ Note by the Secretariat: E/NL.1965/24.

4/ Note by the Secretariat: E/NL.1964/59.

(3) Any authority granted in respect of any class for the purposes of any provision of the said Regulations of 1964 and in force immediately before the repeal of the said Act of 1965 shall, insofar as it authorizes any class of persons to do anything which could be authorized by an authority granted for the purposes of Regulation 8(3) or 10(3), continue in force as if that Act had not been repealed and shall have effect as if granted for the purposes of Regulation 8(3) or 10(3) as the case may be.

(4) Any register, record, book, prescription or other document required to be preserved under Regulation 26 of the said Regulations of 1964 shall, notwithstanding the repeal of the said Act of 1965, be preserved for the same period of time as if that Act had not been repealed.

(5) In the case of a prescription issued before the coming into operation of these Regulations, Regulation 16(1) shall have effect as if:

(a) in the case of a prescription containing a controlled drug specified in the Schedule to the Drugs (Prevention of Misuse) Act 1964 r/ 4/ immediately before the repeal of that Act, sub-paragraphs (a) and (b) of that paragraph were omitted; and

(b) in any other case, for the said sub-paragraphs (a) and (b) there were substituted the words "unless the prescription complies with the provisions of the Dangerous Drugs (No. 2) Regulations 1964 4/ relating to prescriptions".

(6) In this Regulation, any reference to the repeal of the Dangerous Drugs Act 1965 or the Drugs (Prevention of Misuse) Act 1964 shall be construed as a reference to its repeal by section 39(2) of and Schedule 6 to the Act.

Robert Carr,

One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
19 April 1973.

SCHEDULE 1 Regulations 4,7,8,14,15,16,18 and 23

CONTROLLED DRUGS EXCEPTED FROM THE PROHIBITION ON IMPORTATION, EXPORTATION AND POSSESSION AND SUBJECT TO THE REQUIREMENTS OF REGULATION 23

1. (1) Any preparation of one or more of the substances to which this paragraph applies, not being a preparation designed for administration by injection, when compounded with one or more other active or inert ingredients and containing a total of not more than 100 milligrammes of the substance or substances (calculated as base) per dosage unit and with a total concentration of not more than 2.5 per cent (calculated as base) in undivided preparations.

(2) The substances to which this paragraph applies are acetyldihydrocodeine, codeine, dihydrocodeine, ethylmorphine, nicocodine, nicodicodine (6-nicotinoyldihydrocodeine), norcodeine, pholcodine and their respective salts.

2. Any preparation of cocaine containing not more than 0.1 per cent of cocaine calculated as cocaine base, being a preparation compounded with one or more other active or inert ingredients in such a way that the cocaine cannot be recovered by readily applicable means or in a yield which would constitute a risk to health.

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r/ 1964 c. 64.

4/ Note by the Secretariat: E/NL.1964/59.

3. Any preparation of medicinal opium or of morphine containing (in either case) not more than 0.2 per cent of morphine calculated as anhydrous morphine base, being a preparation compounded with one or more other active or inert ingredients in such a way that the opium or, as the case may be, the morphine, cannot be recovered by readily applicable means or in a yield which would constitute a risk to health.

4. Any preparation of diphenoxylate containing, per dosage unit, not more than 2.5 milligrammes of diphenoxylate calculated as base, and a quantity of atropine sulphate equivalent to at least 1 per cent of the dose of diphenoxylate.

5. Any powder of ipecacuanha and opium comprising:

10 per cent opium, in powder,

10 per cent ipecacuanha root, in powder,

well mixed with

80 per cent of any other powdered ingredient containing no controlled drug.

6. Any mixture containing one or more of the preparations specified in paragraphs 1 to 5, being a mixture of which none of the other ingredients is a controlled drug.

Regulations 7,8,10,19,21 and 24 SCHEDULE 2

CONTROLLED DRUGS SUBJECT TO THE REQUIREMENTS OF REGULATIONS 14, 15, 16, 18, 19, 20, 21 and 24

1. The following substances and products, namely:

Acetorphine.
Allylprodine.
Alphacetylmethadol.
Alphameprodine.
Alphamethadol.
Alphaprodine.
Anileridine.
Benzethidine.
Benzylmorphine (3-benzylmorphine).
Betacetylmethadol.
Betameprodine.
Betamethadol.
Betaprodine.
Bezitramide.
Clonitazene.
Cocaine.
Desomorphine.
Dextromoramide.
Diamorphine.
Diampromide.
Diethylthiambutene.
Dihydrocodeinone O-carboxymethyloxime.
Dihydromorphine.
Dimenoxadol
Dimepheptanol.
Dimethylthiambutene.
Dioxaphetyl butyrate.
Diphenoxylate.
Dipipanone.
Drotebanol (3,4-dimethoxy-17-methyl-morphinan-6β, 14-diol).
Ecgonine, and any derivative of ecgonine which is convertible to ecgonine or to cocaine.
Ethylmethylthiambutene.
Etonitazene.
Etorphine.
Etoxeridine.
Fentanyl.
Furethidine.
Hydrocodone.
Hydromorphinol.
Hydromorphone.
Hydroxypethidine.
Isomethadone.
Ketobemidone.
Levomethorphan.
Levomoramide.

Levophenacylmorphan.
Levorphanol.
Medicinal opium.
Metazocine.
Methadone.
Methadyl acetate.
Methyldesorphine.
Methyldihydromorphine (6-methyldihydromorphine).
Metopon.
Morpheridine.
Morphine.
Morphine methobromide, morphine N-oxide and other pentavalent nitrogen morphine derivatives.
Myrophine.
Nicomorphine.
Noracymethadol.
Norlevorphanol.
Normethadone.
Normorphine.
Norpipanone.
Oxycodone.
Oxymorphone.
Pethidine.
Phenadoxone.
Phenampromide.
Phenazocine.
Phenomorphan.
Phenoperidine.
Piminodine.
Piritramide.
Proheptazine.
Properidine.
Racemethorphan.
Racemoramide.
Racemorphan.
Thebacon.
Thebaine.
Trimeperidine.
4-Cyano-2-dimethylamino-4, 4-diphenylbutane.
4-Cyano-1-methyl-4-phenylpiperidine.
1-Methyl-4-phenylpiperidine-4-carboxylic acid.
2-Methyl-3-morpholino-1, 1-diphenylpropanecarboxylic acid.
4-Phenylpiperidine-4-carboxylic acid ethyl ester.

2. Any stereoisomeric form of a substance specified in paragraph 1 not being dextromethorphan or dextrorphan.

3. Any ester or ether of a substance specified in paragraph 1 or 2, not being a substance specified in paragraph 6.

4. Any salt of a substance specified in any of paragraphs 1 to 3.

5. Any preparation or other product containing a substance or product specified in any of paragraphs 1 to 4, not being a preparation specified in Schedule 1.

6. The following substances and products, namely:

Acetyldihydrocodeine.
Amphetamine.
Codeine.
Dexamphetamine.
Dihydrocodeine.
Ethylmorphine (3-ethylmorphine).
Methaqualone.
Methylamphetamine.
Methylphenidate.
Nicocodine.
Nicodicodine (6-nicotinoyldihydrocodeine).
Norcodeine.
Phenmetrazine.
Pholcodine.
Propiram.

7. Any stereoisomeric form of a substance specified in paragraph 6.

8. Any salt of a substance specified in paragraph 6 or 7.

9. Any preparation or other product containing a substance or product specified in any of paragraphs 6 to 8, not being a preparation specified in Schedule 1.

SCHEDULE 3 Regulations 7,9 and 10

CONTROLLED DRUGS SUBJECT TO THE REQUIREMENTS OF REGULATIONS 14, 15, 16 AND 18

1. The following substances, namely:

Benzphetamine.
Chlorphentermine.
Mephentermine.
Phendimetrazine.
Pipradrol.

2. Any stereoisomeric form of a substance specified in paragraph 1.

3. Any salt of a substance specified in paragraph 1 or 2.

4. Any preparation or other product containing a substance specified in any of paragraphs 1 to 3, not being a preparation specified in Schedule 1.

Regulations 19 and 24 SCHEDULE 4

CONTROLLED DRUGS SUBJECT TO THE REQUIREMENTS OF REGULATIONS 14, 15, 16, 18, 19, 20 AND 24

1. The following substances and products, namely:

Bufotenine.
Cannabinol.
Cannabinol derivatives.
Cannabis and cannabis resin.
Coca leaf.
Concentrate of poppy-straw.
Lysergamide.
Lysergide and other N-alkyl derivatives of lysergamide.
Mescaline.
Raw opium.
Psilocin.
N,N-Diethyltryptamine.
N,N-Dimethyltryptamine.
2,5-Dimethoxy-α, 4-dimethylphenethylamine.

2. Any stereoisomeric form of a substance specified in paragraph 1.

3. Any ester or ether of a substance specified in paragraph 1 or 2.

4. Any salt of a substance specified in any of paragraphs 1 to 3.

5. Any preparation or other product containing a substance or product specified in any of paragraphs 1 to 4, not being a preparation specified in Schedule 1.

Regulation 19

SCHEDULE 5

FORM OF REGISTER

PART I

Entries to be made in case of obtaining

Date on which supply received	NAME	ADDRESS	Amount obtained	Form in which obtained
	Of person or firm from whom obtained			

PART II

Entries to be made in case of supply

Date on which the transaction was effected	NAME	ADDRESS	Particulars as to licence or authority of person or firm supplied to be in possession	Amount supplied	Form in which supplied
	Of person or firm supplied				

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EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations make provision for certain exemptions from the provisions of the Misuse of Drugs Act 1971 which, subject to such regulations, prohibit the production, importation, exportation, possession and supply of controlled drugs, that is to say, drugs for the time being specified in Schedule 2 to that Act. The exemptions are set out in Part II of the Regulations.

The Regulations also make provision in relation to prescriptions, records and other documents concerning controlled drugs and for the supervision of the destruction of such drugs.

E/NL.1973/42

Statutory Instruments 1973

No. 798 - Dangerous Drugs

THE MISUSE OF DRUGS (SAFE CUSTODY) REGULATIONS 1973

Made	19 April 1973
Laid before Parliament	7 May 1973
Coming into Operation:	
Regulations 1, 2, 5 and Schedule 1	1 July 1973
Remainder	1 October 1974

In pursuance of sections 10(2)(a) and 31 of the Misuse of Drugs Act 1971 a/ 1/, after consultation with the Advisory Council on the Misuse of Drugs, I hereby make the following Regulations:

1. These Regulations may be cited as the Misuse of Drugs (Safe Custody) Regulations 1973 and (with the exception of Regulations 3 and 4 and Schedule 2 which shall come into operation on 1 October 1974) shall come into operation on 1 July 1973.

2. (1) In these Regulations, unless the context otherwise requires, the expression:

"the Act" means the Misuse of Drugs Act 1971 1/;

"retail dealer" means a person lawfully conducting a retail pharmacy business or a pharmacist engaged in supplying drugs to the public at a health centre within the meaning of the Medicines Act 1968 b/.

(2) In these Regulations any reference to any enactment shall be construed as a reference to that enactment as amended, and as including a reference thereto as extended or applied, by or under any other enactment.

(3) The Interpretation Act 1889 c/ shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

3. (1) This Regulation applies to the following premises, that is to say:

(a) any premises occupied by a retail dealer for the purposes of his business;

(b) any nursing home within the meaning of Part VI of the Public Health Act 1936 d/ or the Nursing Homes Registration (Scotland) Act 1938 e/;

(c) any residential or other establishment provided under or by virtue of section 59 of the Social Work (Scotland) Act 1968 f/;

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a/ 1971 c. 38.
b/ 1968 c. 67.
c/ 1889 c. 63.
d/ 1936 c. 49.
e/ 1938 c. 73.
f/ 1968 c. 49.

(d) any mental nursing home within the meaning of Part III of the Mental Health Act 1959 g/

(e) any private hospital within the meaning of the Mental Health (Scotland) Act 1960 h/.

(2) Subject to paragraph (4) of this Regulation, the occupier and every person concerned in the management of any premises to which this Regulation applies shall ensure that all controlled drugs (other than those specified in Schedule 1 to these Regulations) on the premises are, so far as circumstances permit, kept in a locked safe, cabinet or room which is so constructed and maintained as to prevent unauthorized access to the drugs.

(3) Subject to Regulation 4 of these Regulations, the relevant requirements of Schedule 2 to these Regulations shall be complied with in relation to every safe, cabinet or room in which controlled drugs are kept in pursuance of paragraph (2) of this Regulation.

(4) It shall not be necessary to comply with the requirements of paragraph (2) of this Regulation in respect of any controlled drug which is for the time being under the direct personal supervision of

(a) in the case of any premises falling within paragraph (1)(a) of this Regulation, a pharmacist in respect of whom no direction under section 12(2) of the Act is for the time being in force; or

(b) in the case of premises falling within paragraph (1)(b) to (e) of this Regulation, the person in charge of the premises or any member of his staff designated by him for the purpose.

4. (1) Paragraph (3) of Regulation 3 of these Regulations shall not have effect in relation to a safe, cabinet or room situated on any premises occupied for the purposes of his business by a person lawfully conducting a retail pharmacy business (hereafter in this Regulation referred to as "the occupier") if a certificate has been issued in pursuance of paragraph (2) of this Regulation (hereafter in this Regulation referred to as a "certificate") in respect of that safe, cabinet or room and the certificate is for the time being in force.

(2) On receiving written application in that behalf from the occupier, the chief officer of police for the police area in which the premises in question are situated may:

(a) cause the said premises and, in particular, any safe, cabinet or room in which controlled drugs are to be kept, to be inspected; and

(b) if satisfied that, in all the circumstances of the case, the safes, cabinets or rooms in which controlled drugs (other than those specified in Schedule 1 to these Regulations) are to be kept provide an adequate degree of security, issue a certificate in respect of those safes, cabinets or rooms.

(3) Every certificate shall specify:

(a) every safe, cabinet or room to which the certificate relates; and

(b) any conditions necessary to be observed if the safes, cabinets and rooms to which the certificate relates are to provide an adequate degree of security.

(4) Where a certificate is in force in respect of any safe, cabinet or room on any premises, the chief officer of police may cause the premises to be inspected at any reasonable time for the purpose of ascertaining whether any conditions specified in the

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g/ 1959 c. 72.

h/ 1960 c. 61.

certificate are being observed and whether as a result of any change of circumstances the safes, cabinets and rooms to which the certificate relates have ceased to provide an adequate degree of security.

(5) A certificate may be cancelled by the chief officer of police if it appears to him that:

(a) there has been a breach of any condition specified in the certificate; or

(b) as a result of any change of circumstances, the safes, cabinets and rooms to which the certificate relates no longer provide an adequate degree of security; or

(c) the occupier has refused entry to any police officer acting in pursuance of paragraph (4) of this Regulation.

(6) A certificate shall, unless previously cancelled in pursuance of paragraph (5) of this Regulation, remain in force for a period of one year from the date of issue thereof, but may from time to time be renewed for a further period of one year.

5. (1) Where any controlled drug (other than a drug specified in Schedule 1 to these Regulations) is kept otherwise than in a locked safe, cabinet or room which is so constructed and maintained as to prevent unauthorized access to the drug, any person to whom this Regulation applies having possession of the drug shall ensure that, so far as circumstances permit, it is kept in a locked receptacle which can be opened only by him or by a person authorized by him.

(2) Paragraph (1) of this Regulation applies to any person other than:

(a) a person to whom the drug has been supplied by or on the prescription of a practitioner for his own treatment or that of another person or an animal; or

(b) a person engaged in the business of a carrier when acting in the course of that business; or

(c) a person engaged in the business of the Post Office when acting in the course of that business.

Robert Carr,

One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
19 April 1973.

SCHEDULE 1 Regulations 3(2), 4(2)(b) and 5.

EXEMPTED DRUGS

1. Any controlled drug specified in Schedule 1 to the Misuse of Drugs Regulations 1973 a/ 5/.

2. Any liquid preparation designed for administration otherwise than by injection which contains any of the following substances and products, that is to say:

(a) Amphetamine; dexamphetamine; levamphetamine

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a/ S.I. 1973/797.

5/ Note by the Secretariat: E/NL.1973/41.

(b) Benzphetamine

(c) Chlorphentermine

(d) Mephentermine

(e) Methaqualone

(f) Methylamphetamine

(g) Methylphenidate

(h) Phendimetrazine

(i) Phenmetrazine

(j) Pipradrol

(k) Any stereoisomeric form of a substance specified in any of the paragraphs (b) to (j) above.

(l) Any salt of a substance specified in any of paragraphs (a) to (k) above.

Regulation 3(3)

SCHEDULE 2

STRUCTURAL REQUIREMENTS IN RELATION TO SAFES, CABINETS AND ROOMS USED FOR KEEPING DRUGS

1. In this Schedule, the expression:

"external wall", in relation to any room, means a wall which forms part of the outside of the building in which the room is situated;

"party wall", in relation to any room, means a wall dividing the premises in which the room is situated from other premises under different occupation;

"the Standard of 1963" means the British Standard Specification for Thief Resistant Locks for Hinged Doors B.S. 3621: 1963, as published on 6 May 1963;

"two-leaf door" means a door having two leaves which either close on to each other or on to a central pillar, and the two leaves of any such door shall be treated for the purposes of this Schedule as a single door;

"sheet steel" means mild steel sheet being not lighter than 16 gauge.

Safes and Cabinets

2. (1) A safe or cabinet shall be constructed of:

(a) pressed and welded sheet steel; or

(b) pressed and welded steel mesh; or

(c) sheet steel or steel mesh welded upon an angle-iron frame of at least 25 millimetres (1 inch) by 25 millimetres (1 inch) section and of at least 5 millimetres (3/16 inch) thickness.

(2) The clearance between the door and jamb or, in the case of a two-leaf door, between the two leaves or each leaf and a central pillar shall not be greater than 3 millimetres (1/8 inch).

(3) Each door shall be fitted with an effective lock:

(a) having at least 5 differing levers or, in the case of a pin and tumbler mechanism, at least 6 pins;

(b) designed to permit at least 1000 effective key-differs independent of wards or any other fixed obstruction to the movement of the key; and

(c) provided with a dead-bolt which is either of mild steel of at least 19 millimetres (3/4 inch) by 8 millimetres (5/16 inch) section or incorporates a suitable anti-cutting device and which has a total throw of at least 12 millimetres (1/2 inch).

(4) If the length of the vertical closing edge of a door exceeds 914 millimetres (3 feet) and the length of the horizontal edge exceeds 457 millimetres (18 inches) the door shall be fitted with two such locks as are specified in sub-paragraph (3) above, one situated at not more than one third of the length of the vertical closing edge from the top and the other at not more than one third from the bottom, but otherwise the lock required by sub-paragraph (3) above shall be situated in the centre of the vertical closing edge.

(5) If a safe or cabinet is fitted with a two-leaf door, either:

(a) the lock or locks required by sub-paragraphs (3) and (4) above shall be fitted with an integrated espagnolette bolt which is of at least 19 millimetres (3/4 inch) by 8 millimetres (5/16 inch) section and which has a total throw, at both the top and bottom, of at least 12 millimetres (1/2 inch); or

(b) the second opening leaf shall be secured at the top and bottom by means of internal bolts of mild steel of at least 6 millimetres (1/4 inch) by 6 millimetres (1/4 inch) section or 6 millimetres (1/4 inch) diameter, each of which has a total throw of at least 12 millimetres (1/2 inch), the bolt handles being returnable into a holding recess.

(6) A safe or cabinet shall be rigidly and securely fixed to a wall or floor by means of at least two rag-bolts each passing through an internal anchor plate of mild steel which is of at least 3 millimetres (1/8 inch) thickness and which has a surface area of at least 19355 square millimetres (30 square inches).

(7) Nothing shall be displayed outside a safe or cabinet to indicate that drugs are kept inside it.

Rooms

3. (1) Each wall shall be securely attached to the floor, ceiling and adjacent walls and shall be constructed of:

(a) bricks laid in cement mortar to at least 229 millimetres (9 inches) thickness or, if the joints are reinforced with metal reinforcing ties, to at least 115 millimetres (4½ inches) thickness; or

(b) concrete (being solid concrete, reinforced concrete or dense concrete blocks laid in cement mortar) of at least 152 millimetres (6 inches) thickness, the joints being reinforced with metal reinforcing ties where concrete blocks are used; or

(c) steel mesh fixed externally by welding upon angle-iron frames of at least 50 millimetres (2 inches) by 50 millimetres (2 inches) section and 6 millimetres (1/4 inch) thickness, having vertical members not more than 610 millimetres (2 feet) apart and horizontal members not more than 1220 millimetres (4 feet) apart; or

(d) sheet steel fixed externally by welding, or bolting with steel bolts of not less than 12 millimetres (1/2 inch) diameter and at intervals of not more than 305 millimetres (1 foot), upon either angle-iron frames as specified in (c) above or timber frames of at least 50 millimetres (2 inches) by 100 millimetres (4 inches) section, having vertical and horizontal members spaced as specified in (c) above.

(2) If a party wall or, in the case of a room of which the floor level is less than 2440 millimetres (8 feet) above the external ground level, an external wall is used to form one of the walls of the room, that wall shall be reinforced internally by means of an additional wall which is constructed in accordance with the requirements of sub-paragraph (1) above.

(3) The floor shall be:

(a) constructed of solid concrete or reinforced concrete; or

(b) covered internally with sheet steel or steel mesh, welded at all joints; or

(c) otherwise so constructed that it cannot be readily penetrated from below.

(4) The ceiling shall be constructed of:

(a) solid concrete or reinforced concrete as specified in sub-paragraph (1)(b) above; or

(b) steel mesh fixed externally by welding upon angle-iron frames as specified in sub-paragraph (1)(c) above, the members of which shall not be more than 610 millimetres (2 feet) apart in one direction or more than 1220 millimetres (4 feet) apart in the other; or

(c) sheet steel fixed externally by welding upon angle-iron frames as specified in sub-paragraph (1)(c) above, the members being spaced as specified in (b) above.

(5) Each door or, in the case of a stable-type door, each half-door shall be constructed of:

(a) steel mesh fixed externally by welding upon angle-iron frames as specified in sub-paragraph (1)(c) above; or

(b) sheet steel fixed externally by welding upon angle-iron frames as specified in sub-paragraph (1)(c) above, the members being spaced as specified therein; or

(c) sheet steel fixed externally upon a hardwood frame of at least 50 millimetres (2 inches) by 75 millimetres (3 inches) to stiles, rails and braces or muntins by means of coach bolts at intervals of not more than 305 millimetres (1 foot) (the nuts whereof being on the inside of the door) and with non-withdrawable screws between the bolts at intervals not exceeding 100 millimetres (4 inches), the members of the frame being spaced as specified in sub-paragraph (1)(c) above; or

(d) sheet steel fixed externally upon a solid timber core of at least 50 millimetres (2 inches) thickness.

(6) Each door or, in the case of a stable-type door, each half-door shall be fitted with an effective lock, being a single-sided dead lock having resistance to manipulation and forcing sufficient to comply with the requirements of the Standard of 1963.

(7) If the room is fitted with a two-leaf door, the second opening leaf shall be secured top and bottom by means of:

(a) an espagnolette bolt, operated only from within the room, with vertical fastening rods of mild steel of at least 16 millimetres (5/8 inch) by 16 millimetres (5/8 inch) section or 16 millimetres (5/8 inch) diameter; or

(b) at least two internal tower bolts of mild steel of at least 16 millimetres (5/8 inch) diameter, designed to swivel into a secure holding recess when in the thrown position,

and in either case the bolt shall have a total throw at least 25 millimetres (1 inch) greater than the clearance between the door and the floor or lintel, as the case may be, the lower shooting hole being kept at all times free from obstruction.

(8) The closing frame of each doorway shall be constructed of:

(a) an angle-iron frame as specified in sub-paragraph (1)(c) above; or

(b) hardwood of at least 50 millimetres (2 inches) by 100 millimetres (4 inches) section, covered by sheet steel bolted through the timber at intervals not exceeding 457 millimetres (18 inches) by means of coach bolts (the nuts whereof not being accessible from outside the room); or

(c) pressed steel not lighter than 10 gauge welded at all joints.

(9) Each section of the closing frame of each doorway shall be fixed to the adjoining wall at intervals not exceeding 457 millimetres (18 inches) by means of:

(a) where the wall is constructed of bricks, bent and tanged straps of wrought-iron, screwed or bolted to the frame and built into the brickwork;

(b) where the wall is constructed of concrete, rag-bolts; or

(c) where the wall is constructed of steel mesh or sheet steel, steel bolts or dowels of at least 12 millimetres (1/2 inch) diameter or welding to the framework or cladding of the room.

(10) Each glass window shall either be constructed of glass blocks not larger than 190 millimetres (7½ inches) by 190 millimetres (7½ inches) and of at least 80 millimetres (3.1/8 inches) thickness, set in a reinforced concrete frame having a reinforcing bar between every block, or be guarded by a grille consisting of:

(a) panels of steel mesh fixed on angle-iron frames as specified in sub-paragraph (1)(c) above and fixed:

(i) where the surrounding wall or ceiling is constructed of sheet steel on angle-iron frames, by welding to the sheet steel or framework at intervals not exceeding 305 millimetres (1 foot); or

(ii) where the surrounding wall is constructed of sheet steel on timber frames, by means of steel bolts of at least 12 millimetres (1/2 inch) diameter, bolted through the timber at intervals not exceeding 457 millimetres (18 inches); or

(iii) where the surrounding wall is constructed of bricks, by means of bent and tanged straps of wrought-iron screwed or bolted to the frame and built into the brickwork at intervals not exceeding 457 millimetres (18 inches); or

(iv) where the surrounding wall or ceiling is constructed of concrete, by means of rag-bolts at intervals not exceeding 457 millimetres (18 inches); or

(b) vertical bars of solid mild steel of at least 25 millimetres (1 inch) by 25 millimetres (1 inch) square section, having one of their diagonal axes in a plane parallel to that of the window aperture, spaced not more than 127 millimetres (5 inches) apart centre to centre with the outer bars not more than 75 millimetres (3 inches) from the reveals of the window, and running through and welded to flat mild steel horizontal guard-bars which:

(i) are of at least 62 millimetres ($2\frac{1}{2}$ inches) width and 9 millimetres (3/8 inch) thickness;

(ii) are spaced not more than 762 millimetres ($2\frac{1}{2}$ feet) apart, the upper and lower guard-bars being at a distance not exceeding 100 millimetres (4 inches) from the ends of the vertical bars and not exceeding 75 millimetres (3 inches) from the head and sill of the window;

(iii) are welded at each end to steel brackets of at least 152 millimetres (6 inches) length, 62 millimetres ($2\frac{1}{2}$ inches) width and 12 millimetres (1/2 inch) thickness fixed to the surrounding wall or ceiling, as the case may be, in the manner required by (a) above at a distance of at least 152 millimetres (6 inches) from the reveals of the window;

(iv) if more than 1830 millimetres (6 feet) in length, have the uppermost and lowermost of them fixed to the head and sill of the window at intervals not exceeding 1830 millimetres (6 feet), by means of angle-iron fixings of at least 50 millimetres (2 inches) by 50 millimetres (2 inches) section and 6 millimetres (1/4 inch) thickness welded to the guard-bars and fixed to the surrounding wall or ceiling, as the case may be, in the manner required by (a) above.

(11) Each service-hatch shall be guarded by a grille consisting of:

(i) panels of steel mesh or sheet steel on angle-iron frames as specified in sub-paragraph (1)(c) above; or

(ii) vertical bars of solid mild steel as specified in sub-paragraph (10)(b)(i) and (ii) above,

and the grille shall be secured at all times when the hatch is not in use in such a way as to be secure against removal from outside the room.

(12) Each aperture other than a window or service-hatch shall be guarded by a grille which satisfies the requirements of sub-paragraph (10)(a) or (b) above.

(13) Each shelf in a room shall be so situated as to prevent drugs placed upon it from being extracted from outside through any aperture.

(14) Nothing shall be displayed outside a room to indicate that drugs are kept in the room.

General

4. (1) Where sheet steel is used in the construction of a safe, cabinet or room, its edges shall be lapped inwards around the margins of apertures and around the edges of doors and service-hatch covers in such manner as to be inaccessible from the outside; and where sheet steel is fixed on a framework, it shall be so fixed as to prevent removal from outside the safe, cabinet or room of which the framework forms part.

(2) Any steel mesh used in the construction of a safe, cabinet or room shall be:

(a) welded steel mesh not lighter than 10 standard wire gauge having rectangular apertures not exceeding 75 millimetres (3 inches) by 12 millimetres (1/2 inch); or

(b) expanded steel not lighter than 12 gauge having diamond apertures not exceeding 44 millimetres (1.3/4 inches) by 19 millimetres (3/4 inch).

(3) Except where otherwise specified in this Schedule, the edges of each panel of sheet steel or steel mesh used in the construction of a safe, cabinet or room shall be arc-welded to a steel frame along their entire length, or, in the absence of a steel frame, continuously arc-welded along the entire length of all joins.

(4) Each hinged door, half-door or leaf of a two-leaf door in a safe, cabinet or room shall be fitted with at least two hinges.

(5) If any part of the hinges of such a door, half-door or leaf of a two-leaf door is on the outside of the door, it shall be fitted:

(a) in the case of a safe or cabinet, with at least two dog-bolts of mild steel of similar gauge and dimensions to the frame of the safe or cabinet or an internal flange or rebate running the entire length of the door and so fitted as to prevent access without unlocking in the event of damage to the hinges;

(b) in the case of a room, with at least two dog-bolts of mild steel which

(i) are of similar gauge and dimensions to the jamb and either project at least 16 millimetres (5/8 inch) into the jamb or are attached to the jamb and project to a similar extent into the frame of the door, where the closing frame of the doorway is constructed of angle-iron; or

(ii) are of at least 50 millimetres (2 inches) width and 6 millimetres (1/4 inch) thickness and either project at least 16 millimetres (5/8 inch) into the jamb or are attached to the jamb and project to a similar extent into the edge of the door, where the closing frame of the doorway is constructed of timber or pressed steel.

(6) Each bar, grille or service-hatch cover and each lock, bolt assembly and other means of securing doors and service-hatch covers in a safe, cabinet or room shall be fitted internally.

(7) The bolt of each lock and each other bolt or catch securing the cover of any aperture in a safe, cabinet or room shall be protected against cutting or manipulation from outside.

(8) Each screw, bolt or other fixing device used in the construction of a safe, cabinet or room shall be such as to be incapable of being removed from outside and shall be of a strength at least equal to that of the component part which it fixes.

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EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations, with effect from 1 July 1973, require controlled drugs other than those specified in Schedule 1 generally to be kept either in a locked safe or room or in a locked receptacle.

The Regulations also require, with effect from 1 October 1974, that where such drugs are kept on premises occupied by a retail pharmacist or in a nursing home or similar institution and are not under the supervision of a pharmacist or the person in charge the drugs should be kept in a locked safe, cabinet or room which complies with the requirements of Schedule 2 or alternatively, in the case of a registered pharmacy, which is certified by the local chief officer of police as providing an adequate degree of security. Provision is made, in the latter case, for the inspection of premises and the renewal and cancellation of certificates.

Copies of the British Standard Specification referred to in Schedule 2 can be obtained from the British Standards Institution.

E/NL.1973/43

Statutory Instruments 1973

No. 799 - Dangerous Drugs

THE MISUSE OF DRUGS (NOTIFICATION OF AND SUPPLY TO ADDICTS) REGULATIONS 1973

Made . . .	19 April 1973
Laid before Parliament	7 May 1973
Coming into Operation	1 July 1973

In pursuance of sections 10(2)(h) and (i), 22(c) and 31 of the Misuse of Drugs Act 1971 a/ 1/, after consultation with the Advisory Council on the Misuse of Drugs, I hereby make the following Regulations:

1. These Regulations may be cited as the Misuse of Drugs (Notification of and Supply to Addicts) Regulations 1973 and shall come into operation on 1 July 1973.

2. (1) In these Regulations, the expression:

"drug" means a controlled drug specified in the Schedule to these Regulations;

"hospital":

(a) as respects England and Wales, has the same meaning as in the National Health Service Act 1946 b/ and includes a nursing home within the meaning of Part VI of the Public Health Act 1936 c/, a mental nursing home within the meaning of Part III of the Mental Health Act 1959 d/ and a special hospital within the meaning of that Act;

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a/ 1971 c. 38.

b/ 1946 c. 81.

c/ 1936 c. 49.

d/ 1959 c. 72.

(b) as respects Scotland, has the same meaning as in the National Health Service (Scotland) Act 1947 e/ and includes a nursing home within the meaning of the Nursing Homes Registration (Scotland) Act 1938 f/, a private hospital within the meaning of the Mental Health (Scotland) Act 1960 g/ and a State hospital within the meaning of that Act.

(2) For the purposes of these Regulations, a person shall be regarded as being addicted to a drug if, and only if, he has as a result of repeated administration become so dependent upon the drug that he has an overpowering desire for the administration of it to be continued.

(3) In these Regulations any reference to any enactment shall be construed as a reference to that enactment as amended, and as including a reference thereto as extended or applied, by or under any other enactment.

(4) The Interpretation Act 1889 h/ shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

3. (1) Subject to paragraph (2) of this Regulation, any doctor who attends a person who he considers, or has reasonable grounds to suspect, is addicted to any drug shall, within seven days of the attendance, furnish in writing to the Chief Medical Officer at the Home Office such of the following particulars with respect to that person as are known to the doctor, that is to say, the name, address, sex, date of birth and national health service number of that person, the date of the attendance and the name of the drug or drugs concerned.

(2) It shall not be necessary for a doctor who attends a person to comply with the provisions of paragraph (1) of this Regulation in respect of that person if:

(a) the doctor is of the opinion, formed in good faith, that the continued administration of the drug or drugs concerned is required for the purpose of treating organic disease or injury; or

(b) the particulars which, apart from this paragraph, would have been required under those provisions to be furnished have, during the period of twelve months ending with the date of the attendance, been furnished in compliance with those provisions

(i) by the doctor; or

(ii) if the doctor is a partner in or employed by a firm of general practitioners, by a doctor who is a partner in or employed by that firm; or

(iii) if the attendance is on behalf of another doctor, whether for payment or otherwise, by that doctor; or

(iv) if the attendance is at a hospital, by a doctor on the staff of that hospital.

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e/ 1947 c. 27.

f/ 1938 c. 73.

g/ 1960 c. 61.

h/ 1889 c. 63.

4. (1) Subject to paragraph (2) of this Regulation, a doctor shall not administer or supply to a person who he considers, or has reasonable grounds to suspect, is addicted to any drug, or authorize the administration or supply to such a person of, any substance specified in paragraph (3) below, or prescribe for such a person any such substance, except:

(a) for the purpose of treating organic disease or injury; or

(b) under and in accordance with the terms of a licence issued by the Secretary of State in pursuance of these Regulations.

(2) Paragraph (1) of this Regulation shall not apply to the administration or supply by a doctor of a substance specified in paragraph (3) below if the administration or supply is authorized by another doctor under and in accordance with the terms of a licence issued to him in pursuance of these Regulations.

(3) The substances referred to in paragraphs (1) and (2) above are:

(a) cocaine, its salts and any preparation or other product containing cocaine or its salts other than a preparation falling within paragraph 2 of Schedule 1 to the Misuse of Drugs Regulations 1973 i/ 5/;

(b) diamorphine, its salts and any preparation or other product containing diamorphine or its salts.

5. These Regulations and, in relation only to the requirements of these Regulations, sections 13(1) and (3), 14, 16, 19 and 25 of and Schedule 4 to the Misuse of Drugs Act 1971 (which relate to their enforcement) shall apply to servants and agents of the Crown.

6. (1) The Dangerous Drugs (Notification of Addicts) Regulations 1968 j/ 6/ and the Dangerous Drugs (Supply to Addicts) Regulations 1968 k/ 7/ are hereby revoked.

(2) For the purposes of paragraph 2(b) of Regulation 3 of these Regulations, any particulars furnished, before the coming into operation of these Regulations, in compliance with the provisions of paragraph (1) of Regulation 1 of the Dangerous Drugs (Notification of Addicts) Regulations 1968 shall be deemed to have been furnished in compliance with paragraph (1) of Regulation 3 of these Regulations.

(3) Notwithstanding anything in paragraph (1) of this Regulation, any licence issued by the Secretary of State in pursuance of the Dangerous Drugs (Supply to Addicts) Regulations 1968 before the coming into operation of these Regulations shall continue in force for the same time as if these Regulations had not been made and shall be deemed to have been issued in pursuance of these Regulations.

Robert Carr,

One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
19 April 1973

6/ Note by the Secretariat: E/NL.1969/32.

7/ Note by the Secretariat: E/NL.1969/31.

i/ S.I. 1973/797.

j/ S.I. 1968/136 (1968 I, p. 375).

k/ S.I. 1968/416 (1968 I, p. 1093).

SCHEDULE Regulation 2(1).

CONTROLLED DRUGS TO WHICH THESE REGULATIONS APPLY

1. The following substances and products, namely:

Cocaine	Hydromorphone	Oxycodone
Dextromoramide	Levorphanol	Pethidine
Diamorphine	Methadone	Phenazocine
Dipipanone	Morphine	Piritramide
Hydrocodone	Opium	

2. Any stereoisomeric form of a substance specified in paragraph 1 above, not being dextrorphan.

3. Any ester or ether of a substance specified in paragraph 1 or 2 above not being a substance for the time being specified in Part II of Schedule 2 to the Misuse of Drugs Act 1971.

4. Any salt of a substance specified in any of paragraphs 1 to 3 above.

5. Any preparation or other product containing a substance or product specified in any of paragraphs 1 to 4 above.

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EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations, made under the Misuse of Drugs Act 1971, consolidate with amendments the provisions of the Dangerous Drugs (Notification of Addicts) Regulations 1968 and the Dangerous Drugs (Supply to Addicts) Regulations 1968, made under earlier enactments.

The Regulations require doctors to send to the Chief Medical Officer at the Home Office particulars of persons whom they consider or suspect to be addicted to certain controlled drugs, which are specified in the Schedule to the Regulations. The Regulations also prohibit doctors from supplying or prescribing cocaine or diamorphine (commonly known as heroin) for such persons except under licence of the Secretary of State or in certain cases for medical treatment.

Regulation 5 extends the provisions of the Regulations, together with the provisions of the Act necessary for their enforcement, to servants and agents of the Crown.